HIGH COURT OF UTTARANCHAL AT- NAINITAL.

Writ Petition No. 779(S/S) of 2004

Smt. Vijay Chaudhary W/o Sri Manoj,
(at present posted at P.S. Mussoorie,
District Dehradun). …Petitioner.

Vs.

State of Uttaranchal through the Principal Secretary Home,
Department Uttaranchal, Dehradun,
And four others. …Respondents.

Sri S.S. Yadav, learned counsel for the petitioner.
Learned Standing Counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri S.S. Yadav, learned counsel for the petitioner and learned Standing Counsel for the respondents.

The facts, in brief, are that the petitioner was selected in the year 1991 as lady constable in civil police. Her selection was made for participating in the games and sports meet held at the State level in the year 1993 and she stood first among the sports women and won the gold medal of the year of the police department. On 20.12.1993, the then Chief Minister, directed the Department to give out of term promotion to the petitioner on the basis of her outstanding performance in the games. According to the petitioner, on 21.12.1997, the Director General of Police recommended for providing out of term promotion to the petitioner and the Dy. Inspector of Police (Karmik) U.P. after receiving the order has issued order on 22.12.1993 to the Inspector General of Police, Meerut for providing promotion to the petitioner. In turn, the I.G. Police Meerut asked the Superintendent of Police of Dehradun to promote the petitioner. But even after the order passed by the authorities when the petitioner was not promoted, she filed writ petition no. 31227 of 1998 before High Court of Judicature of Allahabad which was lateron transferred to this Court of and was numbered as w.p. no. 3674(S/S)2001. The said writ petition was finally disposed of by this Court on 23rd April 2004 with a direction to the respondent/DIG Police to decide the representation of the petitioner filed in this regard. The petitioner has now filed this writ petition for a direction to respondents to give effect to the order of State Government

dated 20.12.1993 and the order passed by the Director General of Police dated 21.12.1993. This Court has already passed order on 23.04.2004 directing the concerned authorities to decide the representation of the petitioner.

On perusal of this writ petition, it appears that the petitioner has made representation to the Principal Secretary Home Department, U.P. Lucknow, Director General of Police, Lucknow and Senior Superintendent of Police, Dehradun. In para-17 of the writ petition, the petitioner has submitted that the respondent nos. 4 and 5 i.e. the Secretary Home Department, U.P. Lucknow and the Director General of Police, Lucknow have sent the matter back to the State of Uttaranchal with a remark that the petitioner is under the services of State of Uttaranchal and the State of Uttaranchal may take necessary action in this regard.

During the course of argument, learned counsel for the petitioner has submitted that the petitioner has opted the State of Uttaranchal and she is working in this State.

Keeping in view of the facts and circumstances mentioned above, I direct the petitioner to submit a certified copy of this order alongwith copy of her representation to the Director General of Police, Uttaranchal, Dehradun within ten days' from today. The Director General of Police, Uttaranchal, Dehradun is directed that, in case the petitioner has opted for State of Uttaranchal and is working in the State of Uttaranchal, he shall take necessary decision on the representation of the petitioner within a period of three weeks from the date of receipt of representation as well as the certified copy of this order.

With these directions, the writ petition is disposed of finally.

(M.M. Ghildiyal, J.)

July 14, 2004:
NCM: